G. R. S. IX-5]

Previous references.

1891-92
~~192~~ .
(G. R.)

File No. 212

Serial Nos. 1—10

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—10

Major **Part B for** June 1893.

SUBJECT.

Encroachment of Cantonments on the Civil Lines and Bazaar

---

1. Re Deputy Commissioner's powers

Re Land Revenue Survey

No 2045-57 dated 30.5.93
R. 2464 S. 3. 93

Sd 9 Deciding that the Survey may demarcate the lands on certain conditions

Enclosures 9

Countersigned

WD 2233—GPS—20,000—11-6-25

I. The question in this case is the measurement of the Village boundaries with a view to ascertain the Vernacular Inam quantity. The Settlement for which final effect from the year commencing 1885-86 in which the Report was first submitted, for the confirmation of the Inamdars.

II. The Report in this appears to have proceeded the lands previous to 1862, for in the Malleswaram Division Cowle order of that year to the Commissioner of Bangalore is made by this Report to the land in question.

The present Amildar states that in the accounts of Parkalam 1855-56 the names of Govinda Venkatesa Rama appear as the owners of the land in question, that in the absence of the old accounts which were of service to his charge (as the Sirastadar was new in office) it is not possible for him to say the exact year in which the lands were given out for cultivation.

Submitted with draft

3/5/92

(General Serial No. 30.)

1892.

From

To

The Chief Secretary to the Dewan of Mysore.

Dated 23
Despatched 25 } April
Received

Enclosures No. 1 file

General No. 80
No.

Sedemists Report on the Inam lands of Munday a village held by one Christian Boys &c

Submitted
27.4.92

Received
Read the enclosures
Report of the Village and
Place
Given out in 1862
Register was sent from
Yelahanka and the Amildar
Amildar and the Inamdar

27/4/92

P 30

(General Serial No. 30.)

1892.

3907
17 OCT. 9
Pet 185
MYSORE

From

The Deputy Commissioner
Nagara District.

To

The Chief Secretary to the
Government of Mysore

Dated 12th October 1892.

Despatched

Received

Enclosures No. Order sheet & file

General No.
No. 628.

Submitting the information called for regarding the lands held by Chickka Bara in inam of the Mandya Taluk.

Peter Pereira
17/10/92

In the name of No. 1552-3 27-1-93
13 249-93

This is a reference made by the Dy: Comr, Mysore.

Inam Nos 64 & 66 of Kasba Mandya were during the Survey Settlement of 1888 treated as Kharab & included in the bed of the Mandya Lake. It is garden land containing Cocoanut & other trees.

The Supdt: of Revenue has replied that the Dy: Comr: that it is not advisable to disturb the settlement once made.

The Dy: Comr: recommends that the Nos: be re-assessed specially as they are a foot & more above the Kharab level & planted up as garden land.

In answer to the queries put the Dy: Comr states that the Survey measurement of the lands took place in 1885-86 & that the occupant Chickbora acquired them by sale prior to 1862.

The point for decision is whether the settlement made

P.J.O 17/10/92

by the Sec: Supt: should be Cancelled & and the Lands re-assessed as recommended by the Mr Dykeman.

From the Dykeman Sent Report & other Lands also a plan shewing the Lands Claimed by Rhoads Sinclair & included in the Mid of the Tank.

Submitted to the Chief Secretary for Orders thereon/ the Assistant Supt.

6/12.92 Satisfaction Assistant Superintendent.

(Letter received from Mr Adams Queries Engineers Certificate Quantities)

The Engineer has reported on the Embankment & Waste Weir as a Masonry Work the Lands are Completed. He is of Opinion that they are [illegible] & that Mr Adams Claim for Land is Excessive - The Lands Should be taken by Agreement & the Price of the Lands Settled by Arbitration, should the Parties not agree. The Lands Claimed by Mr Adams are Lands Submerged by the Tank - Also a Portion of the Lands Claimed by Mr Adams are Lands on which the Tank Embankment stands & which were Purchased by the Government from the Crown - The Lands Should be taken by Agreement & the Price of the Lands Settled by Arbitration, should the Parties not agree. The Lands Claimed by Mr Adams are Lands Submerged by the Tank - Also a Portion of the Lands Claimed by Mr Adams are Lands on which the Tank Embankment stands & which were Purchased by the Government from the Crown - The Lands Should be taken by Agreement & the Price of the Lands Settled by Arbitration, should the Parties not agree.

Draftsl
civil
5/12/93

(General Serial No. 30.)

1893 . 12354

From

The Deputy Commissioner
Mysore District

To

The Chief Secretary to the Dewan
of Mysore.

Dated 24th April 1893

Despatched

Received

Enclosures No. two and
Sqaurce plan

General No.
No. 1246

Forwarded to the Chief Secretary.

The question is whether a portion belonging to Chikkiore, which at the Survey Settlement was viewed as Kharab and included in the land of the Kasaba land, was subsequently granted as Inam to the Amildar of Hunsur on condition of his bringing the land under cultivation, should now be assessed and allowed to continue in the occupation of G. Bora.

In Govt order No 11562-4 dated 17th January 1874 it was ordered that the land should be taken by a Civil Officer and the Executive Engineer's opinion obtained as to whether or not the land is below the highest flood level and whether or not the tank embankment will be injuriously affected by the cultivation.

The Executive Engineer states that the encroachment of the land is at present 10 to 12 inches higher than the sill of the kodi of the tank and that when it reaches another similar rainy season the height will be increased by the cultivation and the embankment will be injuriously affected by the cultivation.

The Deputy Commissioner states:—

(1) that the views were in the first instance taken by the Assistant Executive Engineer and not confirmed by the Executive Engineer.

(2) that the portion of the Govt order wherein it is stated that lands which are now given up should be treated as kharab, requires reconsideration (Reasons explained).

(3) it would be wrong if cultivation is continued the Kodi lower.

Now the Executive Engineer's views and the Govt Engineer's views are recommended to you by the Deputy Commissioner.

Mysore Deputy Commissioner's Office
Dated 23rd April 1893

Received with Despatch No 3.5.03 from the Mysore Deputy Commissioner's Office dated 24th April 1893

Read

Noted

Draft

Submit to the Chief Secretary to Government requesting that the Executive Engineer may be directed to report on the matter referred to in the Deputy Commissioner's letter.

Sd/- [illegible]
Asst Secretary to Govt
25/4/93

Read

Noted

Draft

Submit to the Chief Secretary to Government requesting that the Executive Engineer may be directed to report on the matter referred to in the Deputy Commissioner's letter.

Sd/- [illegible]
Asst Secretary to Govt
25/4/93

Read

Noted

Draft

Submit to the Chief Secretary to Government requesting that the Executive Engineer may be directed to report on the matter referred to in the Deputy Commissioner's letter.

Sd/- [illegible]
Asst Secretary to Govt
25/4/93

M. G. C. P. Bangalore.—27-1-93.—5,000.

No 80
Enfde

(Gl 1050 / 14)

Deputy Commissioners Office
Mysore District
Dated Mysore 25th April 1892

From

The Deputy Commissioner
Mysore District

To

The Chief Secretary to the Durbar
of Mysore
Bangalore

Sir,

I have the honor to state that the Marginal noted three Lands of Mundya Village were held by one Chicka Kora in

Hajj. of	extent	assessment
	A. G. M.	Rs. As. P.
	Dry	
	" " 4	" — 1 — 2
100	" " 1/2	" — 1 — 0
64	" " 1/2	" — 1 — 2
66	" " 4 1/2	

from the Survey and first during the Survey settlement two of them viz 64 and 66 and also some other Lands belonging to other ryots were treated as Kharab and added to the Hajj of the Mundya Patch. But the said Chicka Kora would not give up cultivation of the two numbers, and has continued to hold the Lands in spite of fines, and orders to quit passed at former Inquiry. It is also reported that the Lands contain young fruit trees as shewn in the margin. At last the Sub Division Officer has an order dated 14 Coconuts directed the Amildar 1 " Mango to evict Chicka Kora from the possession 8 Guava of the Land and restore the same for the 5 Sitaphal bed of the Patch 26 January by Sale

He did so Chicka Kora then came forward and appealed to this office saying that the Land was above the bed level, that it had been included in the Patch

in error

written sufficient grounds, at the time of settlement, and that the same should be confirmed [illegible].

After perusing the records and hearing petitioner's [illegible] counsel and other persons present in support of the said application, I directed the said Kodi Level to proceed to take the necessary levels, to ascertain whether the application contention that the land was above the said Kodi Level was correct. His report vide [illegible], dated 22nd February, 1932, filed with the proceedings and the sketch drawn by him show that the lands are about 4 feet and more above the level of the Kodi after allowing 6" above Kodi level for action of the waves.

There was thus no justification for resuming the land and including it in the landlord, the more especially as no dike would be washed into the sea as the land is planted up as a garden. Under these circumstances, a reference was made to the survey superintendent for reconsidering the order made at the settlement treating the lands as [illegible] and for assessing the same. The Kodi No. 1001/1934 dated 14th ultimo, the superintendent agrees in substance with my proposal, on the general principle that if a settlement was made as directed there will be no end to such cases. It may be contended against the argument that the Code itself recognizes the right of parties to get corrected similar

mistakes committed at the Survey
Settlement.

The Settlement was effected
in 1855, and though it does not appear that
petitioner presented any application
in the matter within 2 years of the
same, he appears to have continued in
enjoyment of the lands and presented
petition the moment he became
aware of the orders of the Survey
Department of the resumption of the
land.

Apart from this question, there
can be no limitation to the recom-
mendation of the Revenue Department
for the assessment of any lands included
in the table which is found to be
above the Rent level.

For these reasons, I beg that
the Government will be pleased on a
Consideration of all the facts of this
Case to instruct the Survey Depart-
ment to give effect to my recom-
mendation.

I have the honor to be,
Sir
your most obed^t Serv^t

Adrangaram Iyengar
Deputy Commissioner
Mysore District

Combd:
ZLL

9
L.13

(General Serial No. 30.)

1892.93.

From

(2)

To The Deputy Commissioner
Mysore District

Dated 5-5-92
Despatched 6th
Received

Enclosures No. 4 file

General No. 2009
No. 56

Sir

I have the honor to forward herewith a report on the subject of certain boundaries settled by the Chitaldroog Board and recorded at the time of Survey Measurement in the book of the Chandigeri taluk.

Sir

In returning the papers received with the above, I request the Deputy Commissioner, while he forwards the report when the Survey Measurement

9

of the Village in question
took place, and when
& how Circular Bars required
the land.

By order

[illegible] Smith

Chief Clerk

[illegible]

M.W.
5/5

10

No 528
Encl. order dated 27.2.92
with a file.

Cuddalore Deputy Commissioner's Office
Dated Cuddalore 13th March 1892.

From A. Ramaswami Ayengar Esquire
Deputy Commissioner
Cuddalore District

To
The Chief Secretary to the
Government of Madras.

Sir,

With reference to your docket No 2161/92 dated 5th May last, requesting to report whether and how Chinna Pillai acquired the land in the bed of the Manjakuppam Tank, I have the honor to enclose the Divisional Officer's docket No 262 dated 5th Sept, stating that the Survey Measurement of the village was made in 1885-86 and that Chinna Pillai acquired the land by sale prior to the year 1862.

The enclosures received with the docket under reply are also herein enclosed.

I have the honor etc.

Sir,

Your most Obey Servant.

A Ramaswami

Deputy Commissioner
Cuddalore District.

MM

(4)

Read,

Correspondence ending with
Deputy Commrs
letter No. 628 dated 13th
October 1892 - fixing the price
to be paid

Orderd

The ~~Correspondence above~~
~~read shews that~~ the arrang-
ing ~~subsequently~~ by which
were held by one Chicka-
bora in the Islands visited
before the survey ~~and that~~
~~during~~ the Survey Settlement
two of them, viz, Nos 61 &
66 which are said to con-
tain Co-coanut and other
trees, were treated as Islands
~~and Settled~~ forming part of
the west of
the Mandya Taluk; ~~that~~
Chicka Bora has not
given up cultivation of
~~those trees~~ but
continues to hold the
aforesaid two numbers
in spite of the fines and
orders

No
above Extent assessed
Rs
Cop 4 1-2
61 1/2 0-5
66 1/2 1-2

Rhinoceros seen in
1885-86, the first
sighting since that
by Lieutenant in 1882

orders to quit ~~them~~. Chinnia Bora appealed ~~against~~ ~~the Deputy~~ ~~Sub Division Officer's order evicting him from his possession~~, on the ground that their lands were above the bed-level and that they were included in the land in ~~dispute~~ without sufficient reasons ~~of the Survey Settlement~~. ~~However~~, the ~~Deputy Commissioner~~ requested the Survey Superintendent to reconsider the order made at the settlement ~~regarding the lands and~~ in case ~~the lands in question~~ ~~the numbers referred to~~. The Survey Superintendent was ~~not in favour of~~ opposed to the Deputy Commissioner's proposal on the general principle that if a settlement once made ~~here~~ ~~was~~ disturbed, there would be no end of such cases.

~~Chinnia Bora appealed to the Deputy Commissioner against the order of the Sub Division Officer~~

The

The Deputy Commissioner therefore recommends that the mandiers being assessed especially as they are a foot and more above the Kodi Level and ~~planters~~ Certain ~~of the said Land~~

Order:- The whole question hinges upon the consideration whether or not, as a matter of fact, the lands are land-locked. The Deputy Commissioner's opinion that they are above high water mark, is based upon levels taken by the Land Inspector. This is not sufficient. The levels should be taken by an officer of the P.W.D, and the Executive Engineer's opinion obtained as to whether or not the lands are below highest flood level and whether or not they may be cultivated without prejudice

Mr Cassanis Française Chana Théâtre de Cassanis Près Boili tres

6

14

to the Yauk. If big Caning Creek the Lands be found to lie below the reach of the highest flood, then they must be treated as Riverside, as they are tomahawked and Local ~~authorities~~ Officers had no authority to grant such land for permanent cultivation.

I suggest further report on the question & the Lands settled awaited before final action on hand.

Chief Secy.

5/10/93. 11562-4 97-1-93
Pet F 246-92

To.

The Deputy Commissioner
Nigrose Creek, returning
the Ver: papers.

The Supt Dist Survey
The Secretary to Govt
of Nigrose

No. 296.
Via Plan Copy Forest and Game Office -
Jour.

Despatch Office
Dated Allepore 24th April 1872

A. Rangaswami Ayyangar Esquire
Dewan Bahadur.

To
The Chief Secretary to the
Dewan of Allepore.

Sir,

With reference to Government Proceedings No. 1156½-4 / 240-72 dated 16 January last, requesting further report with the opinion of the Executive Engineer regarding certain lands of Chiefs Bund of Alangad required for the Alangad Canal, I have the honor to inform you that I have called for a report of Trichur Division Executive Engineer's docket No. 346 dated 3rd instant together with sketch therewith received, to state that the officer deputed by me to take the levels was a Sub Overseer attached to the office of the Deputy Conservator and not a Canal Inspector as mentioned in the Proceedings - He is in fact of a higher professional status than the Canal Inspectors who have as a rule taken

There is little use in fighting against Nature. The point is whether the Govt. will be prepared to take measures to counteract the destructive influence on their property

the levels, and his measurements have been confirmed by the report just received -

2. In the Proceedings of Government it is stated that lands which are not above the highest flood level, cannot be treated as Khanab. This I beg to submit requires reconsideration - The highest floods occur perhaps once in 10 or 15 years when owing to exceptionally heavy rains, the rush of water in the Lank is much in excess of the discharge of the Kodis - such floods last for one or two days and the Engineering Department generally take such floods to go up nearly, to as much as 4' or 5' above the Kodi level in calculating the height of bund and the storage retainment - but this level is never adopted in calculating the area of the lands forming the bed of a Lank - If this were the case lands in the occupancy of ryots will have to be resumed and treated as Khanab in the case of almost all the lands in the Province - I will, I submit,

be enough if cultivation be kept above the Radical no purpose does the Executive Engineer.

3. The records in the appeal case may please are also sent to the

do,

Your most Obt Servant

P. M. Wright

for Deputy Commissioner

Allyabad District

Compd.
Clk

Rpt

Rs. 3 per Cusec is meant
highest figure in three years
& Rs 1 in any year of normal
Supply -

Rain the Zamindar reserve need not
be taken into the Register &
Credit on Zamindar Account -
Cultivation to mean the water spread
area kept in the Land Revenue
Rs -

In the second case there
is a dream Rains Supply per Cusec
Under one Rain Rain Rain Rain
Rain Rain Rain Rain Rain Rain Rain

(Illegible)
Rain Rain
Rain Rain

15

5

1893

From The Executive Engineer
French Rocks Division

To The Deputy Commissioner
Rajpipla Central

Dated French Rocks 3rd April 1893.

General No 340.

Ans No 256 dated 27 January 1893 forwarding Collector of Broach's Proceedings No 1562-6 240-92 dated 16th January 1893 with the records connected with the land to Kalidas Chunilal in the bed of Narmada River.

In returning the above file I have the honor to inform that the encroachment of the Kanbis question is situated about 10 to 12 inches higher than the sill of the Kodi of Narmada River as marked in the accompanying sketch of the survey No 506 wherein the different levels are marked with reference to the Kodi level and it will never be under water during the ordinary floods which are noted

by Mr. Walsh Ry: Assistant Engineer to be not exceeding a foot during the past few years.

2. If Government are disposed to allow the Power to retain the encroachment since it is above the level of the present Quay the undersigned would beg to suggest that it may be granted on the condition that the Power would give up the land without claiming compensation, should it ever be required at any future date.

(sd). T. Armachalum
M: Exe: Engineer
French Roads &c.

Copy
[illegible]
for Dist. Commissioner
Riviere Ouelle

Compd:
[illegible]

(General Serial No. 30.)

189

From

The Chief Secretary
to the Dewan of Mysore.

To The Superintendent
Mysore Revenue Survey
Bangalore.

Dated 8th

Despatched 9th May 1893

Received

Enclosures No.

General No. 18471
Pol. & F. No. 24-9

Have the honor to request that a copy of the Village map of Mandya Taluk, in the Collectorate of that Mandya Taluk, may be forwarded to this Office for reference in connection with letter No. 296 dated 24th April 1893 from the Asst. Commr. Mysore District.

By order

9/5/93
Chief Secretary

References to be marked.

P. No. 240

Pet. Branch
Mar
12/5

(Survey No. 48.)

13269.
Ref 5-41

189

From The Asst Supt in charge
Revenue Survey Office

To The Chief Secretary
to the Govt of Mysore

Dated 15th May 1893.

Despatched Bangalore

Received

Enclosures—No.

General No 493 } 1892-93
No

With instruction from the
Superintendent Revenue
Survey, I've the honor
to forward a map of
Kadur Mandya.

Jas L Macleay
Asst Supt

No. 47.

1893.

From Supdt Mysore Rd Survey

To Secretary to the Government of Mysore, The Revenue Survey,

Dated Bangalore

Despatched 19th May 1893

Received.

Enclosures No. 1

General No. 1115 } 1893.
No.

Chief Secretary's Docket
Cy. 18th & 19th Instant.

Copy to forward the accompanying copy of the 5.10 of the 19th Instant from Mr Mackay Assistant Supdt Mysore Revenue Survey for information with reference to the above.

Supdt Mysore Rd Survey

Peter Jor

Mail

1815

The case of Mackay Jr Officer in charge the Road was called for but was found absent & the case

Sir,

I have the honor to forward herewith letter No 2207/3-5-93 from the Superintendent Survey.

Encl
22/5/93.
To the Revenue Branch.

Order No 2460-57
R. 6464
dated 30th May 1893.
The Road Cess Fund Estimate should be submitted
Survey will be informed.
[illegible]

No. 500

Bangalore 15th May 1873

The undersigned begs to report the despatch of a lithographic copy of the map of Kadur Mandya to the Chief Secretary on the 13th instant.

To Colonel J. P. Grant (signed) J. L. Macray
asst. Supdt.
Superintendent Rev. Survey

"Copy"

J. P. Grant
Superintendent Mysore
Revenue Survey

96

Read, 21.12.91-a

Correspondence ending with letter No. 296 of the 2nd April 1893, from the Deputy Commissioner of the Mysore District, submitting further report in connection with the Canara Reid lying on Chikka Kere in the bed of the Hanuja Tank

No. 2450-51 / R 2464 Dt 30-8-93 / 5-6

Sub V.P.

Order-

The question for consideration in the present case is, whether the garden land belonging to Chikka Kere which, at the Survey Settlement, were treated as Kharab and included in the bed of the Hanuja Tank but which the ryots contended

* Old No.	Extent - Old measurement		
		Acres	Gts.
64	-	1½	- 1-5-0
66	-	4½	- 1-2-0

Committee and the Deputy Commissioner on inquiry found, to the above ~~Kodi~~ land should or should not be allowed to continue in the occupation of Tribal Boys.

2. Investigation in the D.M.O. Captain the Deputy Commissioner's report that the encroachment is at about 10 to 12 inches above the silt of the side of the tank and will not be under water during ordinary floods. The Executive Engineer suggests that if the Tank action the owner to retain the lands

lands, a condition should be attached to the agreement to the effect that the lands would be given up without compensation, should the land be required at any future time.

3. The Executive Engineer's suggestion is approved and Government direct that the Deputy Commissioner and the Survey Superintendent be instructed accordingly. The Deputy Commissioner will ascertain if the ryot is willing to agree to the condition above mentioned, and if he does, the Deputy Commissioner will let the ryot keep the land on said condition

and

and Communicate with the Survey Superintendent for the necessary assessment and alteration of map and Khasra. The condition should be carefully noted in the village Khatuni and in the Patta granted to the occupant.

29/5

29/5/93.

To.

The Deputy Commissioner
Hissar.

Forwarding Ven: papers.
The Supdt Dist: Survey,

(General Serial No. 30.)

189

From

The Chief Secretary
to the Dewan of Mysore.

To

The Assistant Supdt
Mysore Revenue
Survey

Dated 16.

Despatched 17-6-93

Received

Enclosures No. /

General No. 2089/

Fd. No.

Returning the map
of Kasba Mandya

References to be marked.

Mysore Govt. C. Press, Bangalore.—9-1-93.—3,[illegible]0.

31

To

The Assistant Superintendent
in charge of the
~~Depot~~ Revenue Supply Office
Bangalore

Requisition No 11
dated 3rd
May 1893
for the Labels & Cotton Cords with
~~the~~ Mark of Kasba Bandya

received ~~from him to~~

Requisition returned with the
above -

By Order

Draft
A.V.

J. Rao 10/6/93
for Chief Secretary.